

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7063

BILL NUMBER: SB 182

DATE PREPARED: Mar 1, 2001

BILL AMENDED: Mar 1, 2001

SUBJECT: Unobstructed View at Railroad Crossing.

FISCAL ANALYST: James Sperlik

PHONE NUMBER: 232-9866

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill allows the Indiana Department of Transportation to adopt rules to adjust the required distance for an unobstructed view along a railroad right-of-way. It provides that a crossing equipped with a train activated gate is exempt from the statutory requirement of an unobstructed view of at least 1,500 feet or the minimum length requirement established by a rule of the Department, if the railroad maintains an unobstructed view for at least 250 feet in both directions.

Effective Date: July 1, 2001.

Explanation of State Expenditures: (Revised) Allowing the INDOT to adopt rules will have no fiscal impact on them.

Explanation of State Revenues: (Revised) Current law provides that a railroad that violates the provisions of this chapter is subject to a penalty of \$50 per day for each day the violation continues subject to a maximum fine of \$5,000, to be recovered in a civil action by the state, in the circuit or superior court of the county where the crossing is located. The fund affected is the State General Fund. The amendment of 3/1/01 exempts certain crossings from the statutory requirement of 1,500 ft. and thus reduces the number of instances in which a violation might occur.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Transportation; Attorney General.

Local Agencies Affected: Courts.

Information Sources: Bruce Hartmann, Supervisor of Counties, Clerks, Sheriff, Board of Accounts, 232-2512.